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Document Review Section  
517-334-6302

Annual Report Section  
517-334-6300

MEETING MINUTES AS REQUIRED  
BY SECTION 9 OF ACT NO. 267 OF  
THE PUBLIC ACT OF 1996

Proposed Minutes Prepared  
by: Dennis Irwin-Stabenow  
for State Boundary Commission

Docket #96-AP-8 / St. Joseph  
Lockport Township / City of Three Rivers

**MEETING INFORMATION**

WHERE: Lansing

WHEN: January 30, 1997

TYPE: Adjudicative - Findings of Fact and Order

COMMISSIONERS PRESENT:  
Kenneth VerBurg  
David Rutledge  
Lloyd Walker

COMMISSIONERS ABSENT:  
Donald Easterday  
Gordon Meyer

MOTION: To adopt the draft Findings of Fact and to recommend that the Director  
sign the order.

MOVED BY: Rutledge

SUPPORTED BY: Walker

**VOTE:**

AYES: All

**STATE OF MICHIGAN**  
**DEPARTMENT OF CONSUMER & INDUSTRY SERVICES**  
**BEFORE THE STATE BOUNDARY COMMISSION**

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**In the matter of:**

**Boundary Commission**  
**Docket #96-AP-8**

**The proposed annexation of  
territory in Lockport Township  
to the City of Three Rivers.**

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**FINDINGS OF FACT AND ORDER**

This matter of the proposed annexation of the following territory situated in Lockport Township to the City of Three Rivers:

All that part of the Northwest quarter of the Northeast quarter of Section 7, Township 6 South, range 11 West, Lockport Township, St. Joseph County, Michigan, described as follows:

Beginning at the North quarter corner of said Section 7, and running thence South 00°11'40" /East, along the quarter line 161.24 feet to the northwesterly line of the Conrail Railroad; thence south 14°45'17" West along said line, 352.65 feet; thence South 75°14'43" East 60.00 feet to the southeasterly line of said railroad at its intersection with the west line of Main Street; thence south 00°11'40" East along said line, 60.00 feet; thence South 89°54' East 898.52 feet; thence Northeasterly along a 238.75 foot radius curve to the left, an arc distance of 376.26 feet (said curve being subtended by a chord which bears North 44°51'10" East 338.51 feet); thence North 00°11'40" West 337.67 feet; thence North 89°54' West, along the North line of said Section, 1105.50 feet to the point of beginning.

ALSO the South 233.00 feet of the North 810.60 feet of the West 295.00 feet, Northeast 1/4, Section 7, Town 6 South, Range 11 West.

Having come for final adjudication before State Boundary Commissioners VerBurg, Rutledge and Walker in Lansing, Michigan, on January 30, 1997, and the Commission being fully advised as to the position of the respective parties, made its findings on said date.

## **SUMMARY OF PROCEEDINGS**

1. On **July 1, 1996**, a petition, designated **Docket #96-AP-8**, was filed asking for the annexation of certain territory in Lockport Township to the City of Three Rivers.
- B. On **August 8, 1996**, an adjudicative meeting was held to determine legal sufficiency and the petition was found to be legally sufficient pursuant to Public Act 191 of 1968, as amended, and Public Act 279 of 1909, as amended.
- C. On **October 24, 1996** a public hearing was held to receive testimony given pursuant to Public Act 191 of 1968, as amended. Notice of said hearing was published and mailed pursuant to Section 8 of Public Act 191 of 1968 as amended.
- D. On **January 30, 1997**, an adjudicative meeting was held to consider the docket and render a decision.

## **INFORMATION TO BE NOTICED**

1. The petitioner indicated in the petition that the annexation was desired because:
  - the property is in need of municipal water and sewer services for the benefit of current and proposed improvements and the City of Three Rivers could provide these services immediately.
2. The City and the Township entered into a Conditional Land Transfer Agreement under Public Act 425 of 1984, which was submitted to the Office of the Great Seal, Department of State on December 17, 1996.
3. The petitioner supports the transfer of the subject property through the Act 425 Agreement.

**THE COMMISSION FINDS THAT:**

1. There is no aggrieved party because the parties have resolved the issue themselves.
2. There is no basis in the record for the Commission to consider the proposed annexation.

**IN CONCLUSION, THE COMMISSION FINDS THAT:**

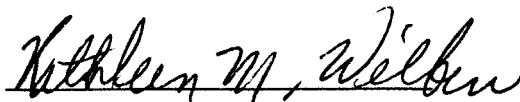
1. The Commission has considered all the testimony and information contained within the record of this docket.
2. The Commission has considered the criteria stipulated under Section 9 of Public Act 191 of 1968, as amended.
3. During an adjudicative meeting held January 30, 1997, State Boundary Commissioners VerBurg, Rutledge, and Walker voted unanimously to recommend denial of the petition for annexation based on the fact that the City and the Township have resolved the issue themselves to the satisfaction of the Petitioner.
4. On January 30, 1997, the Commission reviewed the draft Findings of Fact and Order, and passed a motion to approve the Finding of Fact and recommend the Order be executed.

**ORDER**

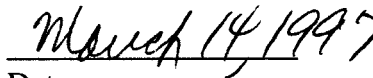
**DOCKET # 96-AP-8**

**IT IS ORDERED THAT** this order denying the petitioned annexation of certain territory into the Home Rule City of Three Rivers shall be final and effective on the date signed by the Director of the Department of Consumer & Industry Services.

**IT IS FURTHER ORDERED THAT** a certified copy of these Findings of Fact and Order shall forthwith be transmitted to the petitioner and to the clerks of the City of Three Rivers, Lockport Township and St. Joseph County.



Kathleen M. Wilbur, Director  
Department of Consumer and Industry Services



Date